

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 21119 of 2004

Between:

Gram Jyothi Society For Integrated Rural Development (Regd.No.
75/87) Rep by its Chairman : M. David, S/o. M. Edwin Joshna, aged
45 years, At H.No. 9-425, C.I.G. Mission Church Compound,
Kalyandurg, Anantapur District - 515 761.

... PETITIONER

AND

- 1 The Manager, State Bank of India, Kalyandurg Branch, Kalyandurg,
Anantapur District.
- 2 The Asst. General Manager, State Bank of India, Prasanti Nilayam
Anantapur, Anantapur District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents not to accept the excess of amount by way of installments for every year rupees two lakhs as illegal, arbitrary and consequently direct the respondents to accept the excess of amount by way of installments for every year rupees two lakhs.

Counsel for the Petitioner: SMT.S.V.INDIRA

Counsel for the Respondents: MR.DEEPAK BHATTACHARJEE

The Court, at the admission stage, made the following:

ORDER:

The relief sought by the petitioner to grant him installments to repay the loan amount cannot be granted, for it arises out of a loan agreement between the petitioner and the respondent, and the remedy of the petitioner, if any, is to approach the respondent and seek installments, and certainly this Court under Article 226 of the Constitution of India, cannot direct the respondent to grant installments to the petitioner to repay the loan.

The writ petition is therefore dismissed.

N.V. RAMANA, J

November 30, 2004

Note: Furnish copy in two days

(B/o)

MRR/GSN

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1 The Manager, State Bank of India, Kalyandurg Branch, Kalyandurg,

Anantapur District.

2 The Asst. General Manager, State Bank of India, Prasanti Nilayam

Anantapur, Anantapur District.

3 Two C.D. Copies.